IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION No.15361 of 2004

Between:

M.Jagannath Reddy, s/o M.Chennaiah Reddy, Occ:Cultivation,
r/o Elumagundlapalli, Penumur Mandal, Chittoor District.

..... PETITIONER

AND

1 District Collector, Chittoor District.
2 The Revenue Divisional Officer, Chittoor.
3 The Mandal Revenue Officer, Penumur Mandal,
Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to declare action of the respondents in seeking to dispossess the petitioner from an extent of Ac.0.50 cents of land situated in survey No.107/1A of Pulikallu Village, Penumur Mandal, Chittoor District as illegal, arbitrary, contrary to the principles of natural justice by issuing a writ or order or direction especially one in the nature of writ of mandamus.

Counsel for the Petitioner: MR.M.V.S.SURESH KUMAR, Advocate

Counsel for the Respondents: Govt. Pleader for REVENUE

The Court at the stage of admission made the following:

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Oral Order:

It is well settled that no Mandamus can be issued on the contemplated action, unless such action resulted in passing an appropriate order. On mere assertion that the respondents are seeking to dispossess the petitioner from the extent of 0.50 cts. of land writ petition cannot be entertained, and issuance of legal notice cannot be an exception to dispel writ petition. It is needless to add that the respondents are under obligation to issue notice whenever they are dispossessing the persons who are in possession of the property which resulted in consequences or to follow due procedure for their eviction.

The writ petition is accordingly dismissed.

_____ A.GOPAL REDDY, J.

27-08-2004

Murthy

Special Officer

// TRUE COPY //

SECTION OFFICER

To

1 District Collector, Chittoor District at Chittoor..

2 The Revenue Divisional Officer, Chittoor.
3 The Mandal Revenue Officer, Penumur Mandal,
Chittoor District.

4 Two CCs to the Govt. Pleader for Revenue, High Court Buildings (OUT)

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